

REMARKS

Claims 1-18, 20-26, and 28-30 are pending in the application. Claims 20-26 stand withdrawn from consideration as being drawn to a non-elected invention. Claims 1, 11, and 28 have been amended. Support for the amendment is found throughout the specification as originally filed, see Figure 2. No new matter is presented.

Claims 1, 2, 4-6, 28, and 30 stand rejected under 35 U.S.C. § 103 as being unpatentable over Zhu (U.S.P.N. 6,240,172) in view of Chon et al. (U.S.P.N. 6,266,404). Claims 3, 8-16, 18, and 29 stand rejected under 35 U.S.C. § 103 as being unpatentable over Zhu and Chon et al. in further view of Brennan et al. (U.S.P.N. 4,788,720). Claim 7 stands rejected under 35 U.S.C. § 103 as being unpatentable over Zhu and Chon et al. in further view of LeDuc et al. (U.S.P.N. 5,355,404).

The Zhu reference discloses a system wherein a special purpose program corresponding to a special feature is physically stored in electrically erasable programmable read only memory (EEPROM) of the telephone set. This allows a user to remotely reconfigure a feature-function telephone via a voice prompt system contained at a central office of the telephone company. Like Brennan et al., Zhu discloses only that the special feature program is physically transmitted to the user's telephone set. See column 5, lines 37-40. This is direct programming of the telephone set, and not a mapping as is expressly required by the present claims. There is nothing in the Zhu reference to disclose the claimed invention wherein the switch on the local instrument is simply mapped to a

special feature in a central program controller. In the system of Zhu, the special access programming code for the desired feature must be physically stored in the telephone set itself.

Chon et al. is directed to a method and apparatus for controlling characteristics of a local instrument from a central switch. In particular, the central switch generates a configuration file which contains the capabilities of a particular local instrument. When the user attempts to program the local instrument, the central switch can use this configuration file to provide an interactive menu which is limited to the capabilities of the particular local instrument. This configuration file is dynamically modified as features are added to the phone, e.g., via software upgrades or attachment of various peripherals or accessories. The configuration file may be stored in the local instrument or in a memory of the central switch. In the system of Chon et al., the phone switch controls the phone characteristics, the phones are dummy terminals into the switch.

Brennan et al. disclose a programmable telephone ("set") for implementing a plurality of special features such as hold, call transfer, call forward, etc. The set is comprised of a microprocessor and electronic telephone circuit connected to a plurality of programmable function keys, for generating one or more Centrex or PBX special feature access code signals in response to depression of predetermined ones of the keys. The special feature access code signals are programmed directly into the RAM (200) of the local instrument such that the set may be used with a variety of PABX and Centrex facilities in lieu of

expensive proprietary subscriber sets or awkward and difficult to use standard type 2500 sets. Thus, the system of Brennan et al. requires programming the special feature access codes for a particular PBX or Centrex system directly into the set. See, e.g., column 2, lines 24-30; column 3, lines 5-10; column 3, lines 67-68, column 4, lines 15-16; column 11, lines 1-4, and so forth.

LeDuc et al. disclose a method for use by a switching system in controlling the rate of downloading of parameters to customer stations. The method of LeDuc et al. addresses the problem of downloading to the stations of an entire configuration group in uncontrolled fashion, which would interfere with the switching system processing of telephone calls. To address this problem, LeDuc et al. propose performing such downloading at a controlled rate thereby limiting any reduction in call processing due to the parameter downloading.


It is respectfully submitted that none of the cited references, either alone or in combination render the present claims obvious. To establish a prima facie case of obviousness, all of the claim limitations must be taught or suggested by the prior art. In re Royka, 180 U.S.P.Q. 580 (C.C.P.A. 1974). See also In re Wilson, 165 U.S.P.Q. 494 (C.C.P.A. 1970). None of the cited references, taken alone or in combination, teach or suggest the method of program data mapping as recited in the present claims.

Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues, it is respectfully requested that the Examiner telephone the undersigned at (603) 628-1461 so that such issues may be resolved as expeditiously as possible.

14

In view of the above amendments, it is believed that the case is now in condition for allowance and early notice to that effect is earnestly solicited.

Respectfully submitted,



April 18, 2005

By: Scott C. Rand
Scott C. Rand; Reg. No. 40,359
McLANE, GRAF, RAULERSON &
MIDDLETON, PA
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
(603) 628-1461 (tel)
(603) 625-5650 (fax)

Attachment: A copy of the Notice of Non-Complaint Amendment mailed March 31, 2005.

M:\DATA\6\67951\scr\00290178.DOC



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/10/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claims 20-26 Needs complete listing & Text
Claims 29, 30 Proper text

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/prognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is **not extendable**.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. **The period for response to a final rejection continues to run from the date set in the final rejection**, and is not affected by the non-compliant status of the amendment.

Terrance Lawrence 596-272-2584
Legal Instruments Examiner (LIE) Telephone No.